



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

July 29, 2004

IN REPLY PLEASE

REFER TO FILE: **PD-3**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DRAINAGE BENEFIT ASSESSMENT AREA NO. 5
EXPANSION AND LEVYING OF ASSESSMENTS
SUPERVISORIAL DISTRICT 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Instruct the Executive Officer to file the enclosed July 2004 Engineer's Report (Appendix A), prepared by the Director of Public Works, pertaining to the proposed expansion of the area of benefit of Drainage Benefit Assessment Area No. 5 and levy of annual assessments on the parcels of property located within the area of expansion.
2. Instruct the Executive Officer to set a date for a public hearing regarding the proposed expansion of the area of benefit established for Drainage Benefit Assessment Area No. 5 and levying of annual assessments on the parcels of property located within the proposed area of expansion, based on the July 2004 Engineer's Report.
3. Instruct the Executive Officer to cause notice of the filing of the report and of the time, date, and place of the public hearing to be published pursuant to Government Code Section 6066.

4. Instruct the Executive Officer of the Board of Supervisors to mail the enclosed notice and assessment ballot (Appendix C) to the record owner of each parcel of property located within the proposed area of expansion at least 45 days prior to the date of the public hearing.

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the enclosed Resolution to Expand the Area of Benefit of Drainage Benefit Assessment Area No. 5 and Levy an Annual Assessment within the Area of Expansion (Appendix B) is being proposed to meet operational expenses and is, therefore, exempt from the California Environmental Quality Act pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273 of Title 14 of the California Code of Regulations (the State California Environmental Quality Act guidelines).
2. Authorize the tabulation of assessment ballots submitted and, not withdrawn, in support of or in opposition to the proposed assessment and determine whether a majority protest against the proposed assessment exists.
3. If there is no majority protest against the proposed assessment, adopt the enclosed Resolution to Expand the Area of Benefit of Drainage Benefit Assessment Area No. 5 and Levy an Annual Assessment within the Area of Expansion (Appendix B), either as proposed or as modified by your Board. The adoption of the Resolution will constitute the levying of assessments on the parcels located within the area of expansion in Fiscal Year 2005-06.
4. Instruct the Executive Officer to file copies of the enclosed Resolution with the County Assessor, Ownership Services Section, and Auditor-Controller, Tax Section.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The proposed area of expansion corresponds to a new subdivision development, Tract No. 46543, consisting of 11 residential parcels. As a condition of approval of Tract No. 46543, the developer is required to provide drainage facilities in order to remove the flood hazard to the subdivision. In satisfaction of this condition, the developer will utilize an existing retention basin and related drainage facilities, which are maintained by

assessments on parcels within Drainage Benefit Assessment Area (DBAA) No. 5 because these facilities and benefiting properties are located outside the jurisdiction of the Los Angeles County Flood Control District.

The enclosed Resolution, if adopted, will expand DBAA No. 5 to include Tract No. 46543 and authorize the levy of an annual assessment on the parcels within Tract No. 46543 to provide the proportionate share of funding from these properties for the future operation and maintenance costs of the retention basin and related drainage facilities.

Implementation of Strategic Plan Goals

This action is consistent with the County's Strategic Plan Goal of Fiscal Responsibility as the expansion of DBAA No. 5 and the annual assessment of parcels within Tract No. 46543 provides the funding necessary for the operation and maintenance of drainage facilities serving the parcels within the area of expansion. It also satisfies the Goal of Service Excellence since drainage facilities provide for the safety and security of people and, to a lesser extent, property, which improves the quality of life in the County.

FISCAL IMPACT/FINANCING

The County General Fund will not be impacted by the proposed actions. If adopted, the enclosed Resolution will authorize the levy of annual assessments on 11 additional parcels of property to pay for their proportionate costs of the ongoing operation and maintenance costs of the drainage facilities within DBAA No. 5. The Benefit Assessment Act of 1982 requires that the assessment funds be used only to pay for the operation and maintenance of the drainage facilities serving DBAA No. 5.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The annual assessment for DBAA No. 5 is levied pursuant to the Benefit Assessment Act of 1982 (Assessment Act), Government Code Section 54703, et seq. The Assessment Act authorizes local agencies to finance operation and maintenance costs of drainage and flood control services through the levy of an assessment upon the properties, which benefits from those services.

The proposed assessment is subject to the requirements of California Construction, Articles XIII C and XIII D (Proposition 218). Proposition 218 prohibits an assessment on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on that parcel.

As indicated in the enclosed Engineer's Report, each parcel of property within DBAA No. 5, including each parcel located within Tract No. 46543, benefits equally from the flood control and drainage services provided by DBAA No. 5. Accordingly, the amount of the proposed assessment on each parcel located within Tract No. 46543 will be equal and the same as the amount of the assessment on every other parcel within DBAA No. 5.

Additionally, Proposition 218 establishes the following procedural requirements on the levy of an assessment:

- All assessments must be supported by a detailed Engineer's Report, prepared by a registered professional engineer licensed by the State of California.
- The record owner of each parcel must be given written notice by mail of the proposed assessment, the total amount thereof chargeable to the entire assessment area, the amount chargeable to the owner's particular parcel, the duration of the payments, the reason for the assessment and the basis upon which the amount of the proposed assessment was calculated, together with the date, time, and location of the public hearing on the proposed assessment.
- Each notice must also contain a ballot whereby the owner may indicate his or her support or opposition to the proposed assessment and a summary of the procedures applicable to the completion, return, and tabulation of the ballot.
- The agency shall conduct a public hearing upon the proposed assessment not less than 45 days after mailing the notice of the proposed assessment to record owners of each affected parcel. At the public hearing, the agency shall consider all protests against the proposed assessment and tabulate the ballots.
- The assessment may not be imposed if there is a majority protest. A majority protest exists if ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment.

Additionally, the Assessment Act requires that notice of the filing of the report and of the time, date, and place of the public hearing be published pursuant to Government Code Section 6066.

Diagrams existing boundaries of DBAA No. 5 and also the proposed area of expansion (Tract No. 46543) are included with the Engineer's Report. The specific detailed legal description for each area is also included in that report.

The Honorable Board of Supervisors
July 29, 2004
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The inclusion of Tract No. 46543 within DBAA No. 5 is a condition of the County's approval of the tentative map for that tract. Accordingly, if the Resolution is not adopted because of a majority protest, the developer will be unable to fulfill one of the conditions of approval, and the final map for the subdivision cannot be recorded.

The enclosed Resolution has been approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

As discussed above, the proposed assessment, if adopted, will be used to finance the operation and maintenance costs of the flood control and drainage improvements serving Tract Nos. 36395 and 46543. Accordingly, the assessment is being proposed to meet operational expenses and is, thus, exempt from the California Environmental Quality Act pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273 of Title 14 of the California Code of Regulations (the State California Environmental Quality Act guidelines).

IMPACT ON CURRENT SERVICES (OR PROJECTS)

If the Resolution is adopted, existing services for DBAA No. 5 will not be negatively impacted.

CONCLUSION

At such time as these recommendations may be approved, please return one approved copy of this letter and the signed Resolution to Public Works and one approved copy of the letter and Resolution to the County Assessor, Ownership Services Section, and Auditor-Controller, Tax Section.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

SM:yr
C050143

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Enc.

cc: Chief Administrative Office
County Counsel

Revised Engineer's Report

Annual Benefit Assessment
(Pursuant to the Benefit Assessment Act of 1982)

Drainage Benefit Assessment Area No. 5
Tract Nos. 36395 and 46543



Prepared By
James A. Noyes
Director of Public Works

Programs Development Division
P.O. Box 1460
Alhambra, CA 91802-1460

July 2004

1. Description of the Services

The proposed service involves the maintenance and operation of a retention basin and storm drain constructed for Tract Nos. 36395 and 46543. The facilities are located at Avenue M-4 and Shain Lane in Quartz Hill as shown on Exhibit "B."

Maintenance and operation includes, but is not limited to:

- a. Periodic inspection and evaluation of the facilities.
- b. Periodic cleanout of catch basins.
- c. Weed control, insect control, and removal of tumble weeds as needed.
- d. Periodic pumping of the basin and responding to complaints by residents.
- e. Any other maintenance work needed to ensure the facilities operate properly.

The estimated total cost for Fiscal Year 2005-06 is \$18,977, which includes nonannual expenses such as dewatering, desilting, and drain inspections. Estimated expenses are detailed as follows:

<u>Maintenance Activity</u>	<u>Expense</u>
Administration (FMD)	\$ 977
Administration (PDD)	\$ 956
Cleanout (Desilting)	\$ 3,805
Landscape Maint Contract	\$ 2,834
Emergency Pumping	\$ 3,292
Emergency Repairs	\$ 3,224
Inspection for Drains	\$ 394
Catch Basin Cleanout	\$ 68
Dewater	\$ 2,537
Miscellaneous	\$ 326
Contingencies (15%)	\$ 565
Total	\$ 18,977

2. Description of Each Parcel

Drainage Benefit Assessment Area (DBAA) No. 5 is comprised of Lots 1 to 79 of Tract No. 36395 recorded in Book 1041, pages 12 to 17, and Lot 105 of Tract No. 11760 in Book 216, pages 1 to 4, inclusive of maps in the office of the Registrar-Recorder. Attached is the legal description (Exhibit "C").

3. Basis and Schedule of Benefit

The basis of benefit was determined to be a buildable parcel, i.e., one buildable parcel = one benefit unit. There are 89 buildable parcels in DBAA No. 5. One lot, Lot No. 76, Assessor's Parcel No. 3101-035-900, is occupied by the retention basin and is not assessed. There are 14 buildable parcels outside of DBAA No. 5 that benefit from DBAA No. 5 that will either be annexed into the DBAA or have the benefit eliminated in the future. The schedule of benefit for Fiscal Year 2005-06 is as follows:

Lots	Benefit	Maximum Assessment	Actual Assessment	Proposed Future Assessment**
1-79	\$ 184.24	\$ 124.00	\$ 124.00	\$ 184.24
80-90	\$ 184.24	\$ 184.24	\$ 124.00	\$ 184.24
91-104*	\$ 184.24	\$ 0.00	\$ 0.00	\$ 184.24
Total	\$18,976.72	\$11,698.64	\$11,036.00	\$18,976.72

* lots to be added in the future

4. Proposed Assessment for Each Parcel

The attached list (Exhibit "A") indicates the benefit units and the assessment amount for each parcel. There will be an annual base rate assessment of \$184.24 for each of the 11 parcels, with an actual assessment amount of \$124 for each of the 11 parcels until such time all parcels within Drainage Benefit Assessment Area No. 5 have approved an assessment amount of \$184.24.

5. Funding Shortages

At anytime that expenses are projected to exceed revenues, expenses will be reduced. Various maintenance activities such as basin cleanout, dewatering, and inspection for drains will be delayed until such time adequate funds have been collected. At no time will the fund balance be allowed to be negative.

The projected funding shortage for Fiscal Year 2005-06 is \$7,940.72. The basin cleanout (\$3,805), dewatering (\$2,537), and inspection for drains (\$394) will be delayed. Depending on exact expenses throughout the fiscal year, a portion of the landscaping maintenance (\$1,205) may also be delayed. In Fiscal Year 2004-05, a vote of the home owners is planned to increase the assessment in accordance with Proposition 218 to eliminate the funding shortage in future years. It is also planned to add the 14 parcels (Lots 91-104) that benefit from DBAA No. 5 but do not pay an assessment.

Exhibit "A"

Lot	Assessor Parcel Number	Benefit Units	2005-06 Assessment
1	3101-035-007	1	\$ 124.00
2	3101-035-008	1	\$ 124.00
3	3101-035-009	1	\$ 124.00
4	3101-035-010	1	\$ 124.00
5	3101-035-011	1	\$ 124.00
6	3101-035-012	1	\$ 124.00
7	3101-039-003	1	\$ 124.00
8	3101-039-004	1	\$ 124.00
9	3101-039-005	1	\$ 124.00
10	3101-039-006	1	\$ 124.00
11	3101-039-007	1	\$ 124.00
12	3101-039-008	1	\$ 124.00
13	3101-039-009	1	\$ 124.00
14	3101-039-010	1	\$ 124.00
15	3101-039-011	1	\$ 124.00
16	3101-039-012	1	\$ 124.00
17	3101-039-013	1	\$ 124.00
18	3101-039-014	1	\$ 124.00
19	3101-039-015	1	\$ 124.00
20	3101-039-016	1	\$ 124.00
21	3101-039-017	1	\$ 124.00
22	3101-039-018	1	\$ 124.00
53	3101-039-019	1	\$ 124.00
24	3101-039-020	1	\$ 124.00
25	3101-039-021	1	\$ 124.00
26	3101-039-022	1	\$ 124.00
27	3101-039-023	1	\$ 124.00
28	3101-039-024	1	\$ 124.00
29	3101-039-025	1	\$ 124.00
30	3101-039-026	1	\$ 124.00
31	3101-039-027	1	\$ 124.00
32	3101-039-028	1	\$ 124.00
33	3101-039-029	1	\$ 124.00
34	3101-039-030	1	\$ 124.00
35	3101-039-031	1	\$ 124.00
36	3101-039-032	1	\$ 124.00
37	3101-039-033	1	\$ 124.00
38	3101-039-034	1	\$ 124.00
39	3101-039-035	1	\$ 124.00
40	3101-039-036	1	\$ 124.00
41	3101-039-037	1	\$ 124.00
42	3101-039-038	1	\$ 124.00
43	3101-039-039	1	\$ 124.00
44	3101-039-040	1	\$ 124.00
45	3101-039-041	1	\$ 124.00
46	3101-039-042	1	\$ 124.00

Lot	Assessor Parcel Number	Benefit Units	2005-06 Assessment
47	3101-039-043	1	\$ 124.00
48	3101-039-044	1	\$ 124.00
49	3101-039-045	1	\$ 124.00
50	3101-035-013	1	\$ 124.00
51	3101-035-014	1	\$ 124.00
52	3101-035-015	1	\$ 124.00
53	3101-035-016	1	\$ 124.00
54	3101-035-017	1	\$ 124.00
55	3101-035-018	1	\$ 124.00
56	3101-035-019	1	\$ 124.00
57	3101-035-020	1	\$ 124.00
58	3101-035-021	1	\$ 124.00
59	3101-035-022	1	\$ 124.00
60	3101-035-023	1	\$ 124.00
61	3101-035-024	1	\$ 124.00
62	3101-035-025	1	\$ 124.00
63	3101-035-026	1	\$ 124.00
64	3101-035-027	1	\$ 124.00
65	3101-035-028	1	\$ 124.00
66	3101-035-029	1	\$ 124.00
67	3101-035-030	1	\$ 124.00
68	3101-035-031	1	\$ 124.00
69	3101-035-032	1	\$ 124.00
70	3101-035-033	1	\$ 124.00
71	3101-035-034	1	\$ 124.00
72	3101-035-035	1	\$ 124.00
73	3101-035-036	1	\$ 124.00
74	3101-035-037	1	\$ 124.00
75	3101-035-038	1	\$ 124.00
76	3101-035-900 (basin)	0	\$ 0.00
77	3101-035-039	1	\$ 124.00
78	3101-035-040	1	\$ 124.00
79	3101-035-041	1	\$ 124.00
80	3101-035-001	1	\$ 124.00
81	3101-035-001	1	\$ 124.00
82	3101-035-001	1	\$ 124.00
83	3101-035-001	1	\$ 124.00
84	3101-035-001	1	\$ 124.00
85	3101-035-001	1	\$ 124.00
86	3101-035-001	1	\$ 124.00
87	3101-035-001	1	\$ 124.00
88	3101-035-001	1	\$ 124.00
89	3101-035-001	1	\$ 124.00
90	3101-035-001	1	\$ 124.00
Totals		89	\$1,036.00

Exhibit "B"



Dark Red area indicated new parcels, Lots 80-90. Pink area indicates existing parcels, Lots 1-79.



Exhibit "C"

Legal Description of New Territory

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, DESCRIBED AS FOLLOWS:

LOT 105 OF TRACT NO. 11760, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 216, PAGES 1 TO 4 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THE SOUTH 138 FEET OF THE WEST 174 FEET OF SAID LOT.

END OF LEGAL DESCRIPTION

**RESOLUTION OF THE COUNTY OF LOS ANGELES TO EXPAND THE AREA OF
BENEFIT OF DRAINAGE BENEFIT ASSESSMENT AREA NO. 5 AND TO LEVY AN
ANNUAL ASSESSMENT WITHIN THE AREA OF EXPANSION**

WHEREAS, the Board of Supervisors of the County of Los Angeles established Drainage Benefit Assessment Area (DBAA) No. 5 on February 12, 1985, pursuant to the Benefit Assessment Act of 1982 (California Government Code Section 54703, et seq.), to impose an annual assessment on the parcels located therein to finance the operation and maintenance costs of drainage facilities constructed and dedicated as a condition of approval of a subdivision of land known as Tract No. 36395; and

WHEREAS, Tract No. 36395 has been recorded and the drainage facilities have been constructed; and

WHEREAS, a tentative tract map for another subdivision of land known as Tract No. 46543, located adjacent to Tract No. 36395, has been approved by the County and will utilize the above-referenced drainage facilities to provide drainage and flood control services to the parcels located in said Tract No. 46543; and

WHEREAS, as a condition of approval of Tract No. 46543, DBAA No. 5 is to be expanded to include Tract No. 46543; and

WHEREAS, the Board of Supervisors has caused a written report, entitled July 2004 Engineer's Report, to be prepared by the County of Los Angeles Department of Public Works and filed with the Clerk of the Board of Supervisors, which supports the imposition of an annual assessment on the parcels of property located within Tract No. 46543; and

WHEREAS, the County has complied with the notice, protest, and hearing requirements prescribed by Government Code Section 53753 and has determined that there is no majority protest against the assessment;

NOW, THEREFORE, the Board Of Supervisors of the County of Los Angeles, State of California, resolves as follows:

1. The area of benefit of DBAA No. 5 is hereby expanded to include Tract No. 46543, as more particularly described in Exhibit "A," attached hereto and incorporated herein, and the annual assessment imposed on the parcels located within DBAA No. 5 shall hereafter be applicable to and imposed on the parcels located within Tract No. 46543, as part of DBAA No. 5.

2. The adoption of this Resolution constitutes the determination and imposition of the assessment described in paragraph 1, above, on the parcels located within Tract No. 46543 for the fiscal year commencing July 1, 2005, and ending June 30, 2006, in accordance with the July 2004 Engineer's Report prepared by the County of Los Angeles Department of Public Works.
3. The assessment imposed by this Resolution will not be added to the property tax bills of the owners of unimproved parcels until such parcels have been developed.
4. The Executive Officer of the Board of Supervisors is hereby authorized and directed to file a certified copy of this Resolution upon its adoption with the County Assessor, Ownership Services Section, and County Auditor-Controller, Tax Section.

[illegible]

The foregoing Resolution was on the ____ day of _____, 2004, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio of the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

OFFICE OF THE COUNTY COUNSEL

By 
Deputy



DRAINAGE BENEFIT ASSESSMENT AREA NO. 5 PUBLIC HEARING NOTICE

APPENDIX C

ASSESSMENT BALLOTING

**** PLEASE RETURN THE ENCLOSED BALLOT****

It is important that you read this information and return the enclosed assessment ballot in the enclosed postage paid envelope to ensure there will be adequate operation and maintenance of flood control facilities in your area.

The County of Los Angeles Department of Public Works administers the operation and maintenance of the flood control in your area through Drainage Benefit Assessment Areas. This flood control will provide an important public safety benefit for residents, motorists, and pedestrians by annual assessments collected from benefited property owners funding the operation and maintenance costs of flood control within the Drainage Benefit Assessment Area. The flood control assessment for each property is based on the benefit received by the type of development on the parcel (for example, single-family residence, commercial business, etc.). Vacant lots will not be assessed until the property is developed. A copy of a map showing the area impacted by the proposed assessment is enclosed.

Proposition 218, approved by the California voters in November 1996, provides for property owners to determine by assessment ballot whether or not they approve of a proposed assessment and requires that a public hearing be held on the matter of the assessment. The County will hold a public hearing to consider the proposed assessment on the following date, at the time and location indicated. In addition to casting your ballot, you have the right to lodge a written protest to the proposed assessment any time before the hearing date, and/or you may voice your protest in person at the hearing. However, a protest to the proposed assessment is not a substitute for ballot cast against it and will not be counted as a ballot. The written protest must identify the property owner and must state all grounds for objection. The protest may be withdrawn in writing prior to the conclusion of the public hearing. **If the tabulation of ballots results in a majority protest, your area will not be annexed to DRAINAGE BENEFIT ASSESSMENT AREA NO. 5, your property will not be assessed for flood control, and the operation and maintenance of the drainage facilities will be the responsibility of the property owners/developer.**

The public hearing on the proposed assessment will be held on Tuesday, September 28, 2004, at 9:30 a.m. in the Hearing Room of the Board of Supervisors, Room 381 B, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California.

Your assessment ballot is enclosed. **All assessment ballots must be received by the County before the conclusion of the public hearing on Tuesday September 28, 2004. If you mail your ballot, it should be mailed no later than one week prior to the public hearing.** Assessment ballots will be tabulated at the conclusion of the public hearing. A ballot may be withdrawn prior to that time by written request to the Clerk of the Board of Supervisors at the address shown above.

Only assessments ballots provided by the County will be counted. Copies of assessment ballots will not be accepted. Please contact the Clerk of the Board of Supervisors at the address shown above to receive a duplicate ballot if your ballot has been lost or destroyed. Only one ballot may be completed for each parcel except that, if a parcel has multiple owners, any owner may request the Clerk of the Board of Supervisors at the address shown above to provide separate proportional ballots to all of the owners of the parcel. Such a request must be made in writing no later than two weeks prior to the public hearing and must include the names and mailing addresses of all owners and satisfactory evidence of their proportional ownership interests.

July 26, 2004

OWNER OF RECORD:
Quartz Hill Homes, LLC
18455 Burbank Boulevard, #204
Tarzana, CA 91356

ASSESSED PROPERTY ADDRESS:
5838 West Avenue M-4
Quartz Hill, CA 93536
Parcel No. 3101-035-001

Dear Property Owner:

**DRAINAGE BENEFIT ASSESSMENT AREA NO. 5 - BALLOT FOR DRAINAGE BENEFIT ASSESSMENT
TRACT NO. 46543**

As you know, drainage facilities are a subdivision requirement for your development. Funding for the operation and maintenance of the drainage facilities is proposed to be provided by annual assessments collected from the properties benefited by the drainage facilities. The proposed maximum annual flood control assessment for Fiscal Year 2005-06 is \$184.24 per parcel for each parcel with an actual assessment amount of \$124 until such time the original 78 property owners within Drainage Benefit Assessment Area No. 5 have approved an assessment amount of \$184.24. The boundaries of the assessment area are defined by the Engineer's Report on file with Public Works. Assessments for the operation and maintenance costs of the drainage facilities will not be added to the property tax bills of property owners of vacant lots until they are developed.

Proposition 218, approved by California voters in November 1996, provides for property owners to determine by assessment ballot whether or not they approve of the proposed assessment for this purpose. Assessment ballots are weighted according to the amount of the flood control assessment owed by each property owner. The assessment will not be imposed if the weighted majority of ballots returned are opposed to the assessment. Only returned assessment ballots will be counted. Below is the assessment ballot for your property that we request you detach and return to us now. In order for your vote to count, you must complete all portions of this ballot and sign the ballot.

If you have any questions, please contact the County of Los Angeles Department of Public Works at (626) 458-3945 or jpou@ladpw.org.

THE ASSESSMENT BALLOT SHOULD BE MAILED TO THE BOARD OF SUPERVISORS IN THE ENCLOSED POSTAGE PAID ENVELOPE AND MUST BE RECEIVED BEFORE THE CLOSING OF THE PUBLIC HEARING ON TUESDAY, SEPTEMBER 28, 2004.



ASSESSMENT BALLOT



Please vote by marking your choice with a U in the appropriate box. In order for your vote to count: 1. you must complete all portions of ballot, 2. you must print your name and sign this ballot, and 3. we must receive your ballot prior to the close of the public hearing on September 28, 2004.

Assessment ballot for the levying of an assessment for the operation and maintenance of drainage facilities.

VOTE FOR ONLY ONE:

- ? YES, I am in favor of a maximum annual base rate assessment of \$2,026.64 (\$184.24 for each of the 11 subdivided parcels), with an actual assessment amount of \$1,364.00 (\$124 for each of the 11 subdivided parcels) until such time the original 78 property owners within Drainage Benefit Assessment Area No. 5 have approved an assessment amount of \$184.24.
- ? NO, I am opposed to the levying of an annual flood control assessment (recognizing that the operation and maintenance of the drainage facilities will be the responsibility of the property owners/developer). Furthermore, I realize that inclusion of Tract No. 46543 within Drainage Benefit Assessment Area No. 5 is a condition of the County's approval of the tentative map for that tract. Accordingly, if a majority protest exists, the developer will be unable to fulfill one of the conditions of approval, and the final map for the subdivision cannot be recorded.

print name below

I, _____, am the owner of record or the owner's authorized representative of Parcel No. 3101-035-001.

Property Owner Signature
or duly Authorized Representative

Date